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15 ERICK J. BLANDINO

**UNITED STATES DISTRICT COURT**  
**IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 ERICK J. BLANDINO, individually and on ) Case No. C 12-1729 WHO  
20 behalf of all others similarly situated, )  
21 Plaintiff, ) **STIPULATION AND ORDER**  
22 v. ) **CONTINUING PLAINTIFF'S**  
23 MCM CONSTRUCTION, INC., and DOES 1- ) **DEADLINE TO FILE MOTION FOR**  
24 20, ) **PRELIMINARY APPROVAL OF**  
25 Defendants. ) **CLASS ACTION SETTLEMENT**  
26 )

## STIPULATION

Plaintiff Erick Blandino (“Plaintiff”) and Defendant MCM Construction, Inc. (“Defendant”) (collectively “the Parties”), stipulate and agree as follows:

**WHEREAS**, on September 3, 2013, the parties stipulated and the Court entered an Order continuing Plaintiff's deadline to file their Motion for Preliminary Approval of Class Action Settlement ("Motion for Preliminary Approval") until September 25, 2013, and set the hearing on the Motion for Preliminary Approval to take place on October 30, 2013 at 2:00 P.M. in Courtroom 2;

**WHEREAS**, the parties have entered into a long-form settlement agreement regarding the class action claims in the instant action. To this end, Defendant has since provided Plaintiff with updated information regarding the class, which Plaintiff is in the process of summarizing and incorporating into the Motion for Preliminary Approval. To this end, however, Plaintiff needs additional time in order to finalize the summary, as well as the proposed Claim Form and Notice, which the Parities anticipate finalizing shortly.

**WHEREAS**, in light of the fact that the Motion for Preliminary Approval is unopposed, a full 35-day notice period is unnecessary.

**IT IS HEREBY STIPULATED** that the deadline for Plaintiff to file the Motion for Preliminary Approval shall be extended by one week. Thus, Plaintiff shall file the Motion for Preliminary Approval on or before October 1, 2013. Defendant shall file its notice of non-opposition on or before October 8, 2013. The Case Management Conference and the hearing on the Motion for Preliminary Approval shall take place on October 30, 2013, at 2:00 P.M. in Courtroom 2.

## **IT IS SO STIPULATED.**

DATED: September 24, 2013

/s/ David S. Harris  
David S. Harris  
NORTH BAY LAW GROUP  
Attorneys for Plaintiff Erick Blandino

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DATED: September 24, 2013

/s/ Cassandra Carroll

Cassandra Carroll  
SEYFARTH SHAW  
Attorneys for Defendant  
MCM Construction, Inc.

## ORDER

The parties having so stipulated, and GOOD CAUSE APPEARING THEREFORE, IT  
IS HEREBY ORDERED that:

9 Plaintiff's deadline to file the Motion for Preliminary Approval shall be continued from  
10 September 25, 2013 to October 1, 2013.

11 The Case Management Conference and the hearing on the Motion for Preliminary  
12 Approval shall take place on October 30, 2013 at 2:00 p.m. in Courtroom 2.

14 | DATED: September 25, 2013

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## HON. WILLIAM H. ORRICK